

## PART 219

### INCINERATORS

(Statutory authority: Public Health Law, §§ 1271, 1276)

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#### Historical Note

Part added, filed April 28, 1972 eff. May 1, 1972.

**Section 219.1** Title. These rules shall be known as the New York State rules to prevent air pollution from incinerators.

#### Historical Note

Sec. added, filed April 28, 1972 eff. May 1, 1972.

**219.2** Applicable geographical area. This Part shall apply to the entire State of New York.

#### Historical Note

Sec. added, filed April 28, 1972 eff. May 1, 1972.

**219.3** Definitions. (a) *Incinerator*. Any structure or furnace in which combustion takes place and type 0, 1, 2, 3, or 4 refuse is used as fuel, alone or in conjunction with fossil fuel.

(b) *Refuse*. All waste material, including but not limited to, garbage, rubbish, incinerator residue, street cleanings, dead animals, and offal. Refuse is classified in accordance with Table 1. Appendix 2.

(c) *Smoke*. An air contaminant consisting of small gas-borne particles emitted by an air contamination source in sufficient number to be observable.

**Historical Note**

Sec. added, filed April 28, 1972; repealed, filing.  
new filed May 17, 1972 eff. 30 days after

**219.4 Emission limits.** (a) All incinerators having a capacity of 2,000 lb/hr or less and built and installed after January 1, 1968, shall be designed, built, installed and operated to meet the emission limits of figure 1\*.

(b) No incinerator larger than 2,000 lb/hr capacity and built after January 1, 1970, shall be operated so as to produce particulate emissions which exceed the amount shown in figure 1\*.

(c) No incinerator having a capacity of 2,000 lb/hr or less and built or installed between April 1, 1962, and January 1, 1968, shall be operated so as to produce particulate emissions which exceed 0.5 lb/hr for every 100 lb/hr of refuse-charged, unless a final order by the commissioner provides otherwise.

(d) Any incinerator having a capacity of 2,000 lb/hr or less and built or installed prior to April 1, 1962, shall either meet the requirements of 219.4(c) or shall be equipped with adequate control devices or redesigned and rebuilt so as to meet the requirements of 219.4(a) by January 1, 1969.

(e) No incinerator larger than 2,000 lb/hr capacity and built between April 1, 1962, and January 1, 1970, shall be operated so as to produce particulate emissions which exceed 0.5 lb/hr for every 100 lb/hr of refuse charged, unless a final order by the commissioner provides otherwise.

(f) Any incinerator larger than 2,000 lb/hr capacity and built prior to April 1, 1962, shall either meet the requirements of 219.4(e) or shall be equipped with adequate control devices or redesigned and rebuilt so as to meet the requirements of 219.4(b) by January 1, 1970.

**Historical Note**

Sec. added, filed April 28, 1972 eff. May 1, 1972.

**219.5 Smoke emissions.** (a) No incinerator, built or installed after January 26, 1967, regardless of size, shall emit smoke of an opacity denser than 20 percent or No. 1 of the Ringelmann chart or equivalent, under normal operating conditions.

(b) No incinerator built or installed prior to January 26, 1967, regardless of size, shall be operated so as to emit smoke of an opacity denser than 40 percent or No. 2 of the Ringelmann chart or equivalent, under normal operating conditions.

**Historical Note**

Sec. added, filed April 28, 1972 eff. May 1, 1972.

**219.6 Tests.** (a) All incinerators larger than 2,000 lb/hr capacity shall be tested using isokinetic sampling techniques in accordance with test procedures acceptable to the commissioner.

(b) All incinerators built or installed after January 1, 1968, and having a capacity of 2,000 lb/hr or less shall be tested in accordance with special test procedures promulgated by the commissioner. Units which are representative models may be tested instead of an actual installation, in accordance with special test procedures promulgated by the commissioner.

**Historical Note**

Sec. added, filed April 28, 1972 eff. May 1, 1972.

\* See Appendix 2, *infra*.

**219.7 Abatement.** (a) Where the commissioner has reason to believe that an incinerator installation is violating the emission standards of section 219.4, he may have tests conducted. The owner shall provide, at his expense, sampling holes and pertinent allied facilities as needed, at the request of the commissioner.

(b) If such tests indicate a contravention of the emission limits, the commissioner may require the installation of appropriate control equipment or he may seal the incinerator if such equipment is not installed within the time limit specified by the commissioner.

(c) The commissioner may order the cleaning, repair, replacement or alteration of any equipment or control equipment which causes or is operated so as to cause a violation of this Part.

(d) The commissioner may order a change in the manner of operation of any incinerator which is operated so as to cause a violation of this Part.

**Historical Note**

Sec. added, filed April 28, 1972 eff. May 1, 1972.

# APPENDIX 2

## TABLE 1

### Classification of Refuse

(1) Type	(2) Principal Components	(3) Approximate Composition % by Weight	(4) Approximate Moisture Content % by Weight	(5) Approximate Incombustible Solids % by Weight	(6) Approximate B.T.U. per Pound of Refuse
0	Rubbish consisting of highly combustible materials such as paper, wood and cardboard including up to 10% treated papers, rags, plastic or rubber from commercial and industrial sources	Rubbish 100%	10%	5%	8500
1	Some garbage but primarily rubbish consisting of combustible material such as paper, cardboard, wood, combustible floor sweepings from residential, commercial and industrial sources	Rubbish 80% Garbage 20%	25%	10%	6500
2	Rubbish and garbage from residential sources	Rubbish 50% Garbage 50%	50%	7%	4300
3	Some rubbish, but primarily garbage consisting of animal and vegetable matter from restaurants, hotels, markets, institutional and commercial sources	Garbage 65% Rubbish 35%	70%	5%	~500
4	Human and animal solid refuse consisting of carcasses and organs from hospitals laboratories, abattoirs, animal pounds and similar sources	100% animal and Human Tissue	85%	5%	1000
5	Gaseous, liquid or semi-liquid refuse from processes such as tar, paints, solvents and chemical sludge	Variable	Dependent on pre- dominant components	Variable	Variable
6	Solid or semi-solid refuse from processes such as rubber, plastics, wood and sewage sludge.	Variable	Dependent on pre- dominant components	Variable	Variable

## APPENDIX 2

PARTICULATE EMISSION RATE (lb./hr.)

